


JUL 09 2013

JULIA C. DUNN, CLERK
BY: 
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 5:06CR00041
)	
)	
v.)	<u>FINAL ORDER</u>
)	
)	
ADELSON MICHEL,)	By: Glen E. Conrad
)	Chief United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

as follows:

1. The defendant's motion, styled as "MOTION TO RE-OPEN 28 U.S.C. § 2255 ON CLAIMS 4, 5, AND 6, PURSUANT TO RULE 60(b), AND A 2ND EVIDENTIARY HEARING" (ECF No. 992) is **DENIED**, and the defendant's submission is CONSTRUED as a Motion to Vacate, Set Aside or Correct Sentence, pursuant to 28 U.S.C.A. § 2255;
2. The clerk is **DIRECTED** to redocket the motion (ECF No. 992) as a § 2255 motion;
3. The § 2255 motion is hereby **DENIED** without prejudice as successive and stricken from the active docket; and
4. A Certificate of Appealability is **DENIED**, based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right.

ENTER: This 9th day of July, 2013.



Chief United States District Judge